

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-43139-2020 (O&M)
Date of Decision:- 7.4.2021

Kuldeep Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ramesh Sharma, Advocate, for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab,
assisted by ASI Balbir Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.42, dated 6.5.2018, Police Station Begowal, District Kapurthala, under Sections 379, 452, 148, 149 IPC.
2. At the time of issuance of notice of motion on 21.12.2020 the following order was passed:

“Learned counsel for the petitioner submits that the instant case has in fact arisen out of matrimonial discord between husband and wife

wherein the petitioner's wife had lodged the instant FIR. It has been submitted that the differences between the parties have been resolved and in fact the marriage also stands dissolved by way of a decree dated 21.09.2020 (Annexure P-3) of divorce by mutual consent. It has further been submitted that based upon compromise, a petition for quashing of FIR has also been filed in this Court.

Notice of motion for 07.04.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C."

3. The learned State counsel, upon instructions from ASI Balbir Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that he is not required for any custodial interrogation.
4. In view of the aforestated submission, the petition is accepted and the interim directions issued by this Court vide order dated 21.12.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

7.4.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No